

REGISTER

South Dakota Legislative Research Council



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A COPY OF EACH REGISTER IS FILED IN THE OFFICE OF THE SECRETARY OF STATE

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council)

Department of Human Services: Division of Mental Health Services: (September 25, 2002) intends to adopt rules to update definitions and rules relating to community mental health centers, their programs and practices; to expand consumer rights; to provide community mental health centers an appeals process relating to denial, revocation, or probationary certification; and to repeal and propose new rules relating to safety sanitation and physical facilities standards. The general authority for these rules, as cited by the department, are SDCL 1-36A-1.26, 27A-1-9, 27A-3-1, and 27A-5-1.

A public hearing will be held in the large conference room at the Department of Human Services Building, Hillsvue Plaza, East Highway 34, Pierre, South Dakota, on Friday, October 25, 2002, at 1:15 p.m. Copies of the proposed rules may be obtained from and written comments sent to Velda Bartel, Department of Human Services, Hillsvue Plaza, East Highway 34, c/o 500 East Capitol, Pierre, South Dakota 57501-5070. Written comments must be received by 5:00 p.m. on November 4, 2002, to be considered. Copies of the proposed rules may also be obtained on the Internet at www.state.sd.us/dhs/dmh/ and comments can be emailed to velda.bartel@state.sd.us. E-mail comments must include the name and address of the individual making the comments to be considered. This hearing is being held in a physically accessible place. Persons who have

special needs for which the department can make arrangements are asked to call (605) 773-5990 at least forty-eight hours before the hearing.

Department of Social Services: Office of Adult Services and Aging: (September 26, 2002) intends to adopt rules that adjusts the fee chart to reflect the 2002 federal poverty guidelines for income and to increase the maximum care plan limit. The general authority for these rules, as cited by the department, are SDCL 28-1-45 and 28-8-28.

A public hearing will be held in Conference Room 2, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota, on Thursday, October 17, 2002, at 1:15 p.m. Copies of the proposed rules may be obtained from and written comments sent to Jill Wellhouse, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, South Dakota 57501. Written comments must be received by October 28, 2002, to be considered. Individuals intending to present oral testimony at the hearing must make a written copy of their testimony available to the Department at the time of the hearing. The written and oral comments must relate directly to the changes being proposed and must cite the specific rule number to which the comments are being directed. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3305 at least forty-eight hours before the hearing.

**FILINGS IN THE SECRETARY OF
STATE'S OFFICE:*****Administrative Rules:***

**DEPARTMENT OF COMMERCE AND
REGULATION: SOUTH DAKOTA REAL
ESTATE COMMISSION:** 20:69:03:10,
20:69:03:13, 20:69:03:14, 20:69:03:15;
20:69:06:02, 20:69:06:03; 20:69:10:03;
20:69:11:11.01, 20:69:11:11.02; 20:69:13:06,
20:69:13:15, and Chapter 20:69:17 Appendix A.

History-Notice: 29 SDR 5, July 8, 2002
Hearing: August 13, 2002
Filed: September 20, 2002
Effective: October 10, 2002

**DEPARTMENT OF COMMERCE AND
REGULATION: DIVISION OF
INSURANCE:** 20:06:08:42; Chapter 20:06:08
Appendix A and B, inclusive; 20:06:40:07;
20:06:45:01; 20:06:45:03; 20:06:45:20 to
20:06:45:26, inclusive; 20:06:46:01 to
20:06:46:15, inclusive.

History-Notice: 29 SDR 1, July 1, 2002
Hearing: August 20, 2002
Filed: September 20, 2002
Effective: October 10, 2002

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Commerce and Regulation for commercial driver licensing, the Department of Labor for Article 47:03, and the Department of Revenue.

REMINDER OF HEARINGS SCHEDULED

10-2-2002	Health	Update regulations to conform to current health and safety standards in medical facilities, improve construction to reflect new Life Safety and Building code, improve dietary supervision, education, nutritional meals, safe food preparation, appeal process for CNAs; 29 SDR 29.
10-3-2002	Environment and Natural Resources: Division of Environmental Services	Establish new requirements for the Consumer Confidence Report; 29 SDR 37.
10-10-2002	Game, Fish and Parks: Division of Wildlife	Adopt new rules regarding taxidermists; 29 SDR 37.
10-17-2002	Social Services: Adult Services and Aging	Updates the fee chart to reflect the yearly increase in the federal poverty levels for income and increase the maximum care plan limit; 29 SDR 47.
10-25-2002	Human Services: Division of Mental Health Services	Update definitions and regulations relating to community mental health centers, their programs and practices; 29 SDR 47.

Rules Review Committee Meetings

The next meeting of the Interim Rules Review Committee will be held Wednesday, November 20 in Room 413 of the State Capitol. The committee chair has set the following tentative meeting schedule for the 2002 interim: January 6, 2003.

Agencies whose rules have had a public hearing will be scheduled to meet with the Rules Review Committee and are asked to have a representative present at the meeting to give background information on their rules.

Note: An updated version of the Administrative Rules Guide to Form and Style is now available at the LRC office and on the LRC web site.

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